



October 11, 2023

VIA E-FILING

The Honorable Christopher J. Burke
J. Caleb Boggs Federal Building
844 N. King Street
Unit 28, Room 2325
Wilmington, DE 19801-3555

Re: *BT Americas, Inc., et al. v. Palo Alto Networks, Inc.*
C.A. No. 22-cv-1538-CJB

Dear Judge Burke:

Pursuant to the Court's direction at the October 10, 2023 hearing, the parties met and conferred on outstanding issue number two regarding the location of in-person source code review. The parties were unable to reach agreement.

Consistent with its prior proposal to conduct in-person review local to its source code expert (currently contemplated to be Austin) Plaintiff proposed the use of an escrow agent as set out in the Default Standard and, as a compromise, was also willing to consider the use of an alternate type of hosting entity (such as a local law firm) as long as such entity was local to its source code expert. Defendants rejected this compromise.

Defendant does not agree to producing the source code in Austin, Texas whether at an escrow agent or an alternative entity, and maintains its request that the code be hosted at outside counsel's offices in New York City, the District of Columbia, or Silicon Valley. As a compromise, Defendant offered to make the source code available in Houston at the offices of Norton Rose Fulbright (a firm familiar with the products and code at issue here), but Plaintiffs rejected this compromise.

We are available at the Court's convenience should Your Honor have any questions.

Respectfully submitted,

/s/ Michael J. Farnan

Michael J. Farnan

cc: Counsel of Record (Via E-Filing)